

THE HONORABLE LAUREN KING

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MATTHEW ADKISSON, an individual,

Plaintiff,

v.

EPIK HOLDINGS, INC., a Washington  
Corporation; EPIK INC., a Washington  
Corporation; MASTERBUCKS LLC, a  
Wyoming company; ROBERT W.  
MONSTER, an individual; and BRIAN  
ROYCE, an individual,

Defendants

No. 2:23-cv-00495 LK

**JUDGMENT BY CONFESSION**

**[PROPOSED]**

**NOTE ON MOTION CALENDAR:  
JUNE 4, 2024**

This matter came before the Court on Plaintiff Matthew Adkisson's Motion for Entry of Judgment by Confession, through which Adkisson requests entry of judgment pursuant to a Confession of Judgment executed by defendant Robert Monster ("Monster"). The Confession of Judgment was filed together with Adkisson's motion and a copy is attached as Exhibit A to this Judgment.

Based on Monster's Confession of Judgment and the order appended thereto, the Court enters judgment as follows:

1. Plaintiff Matthew Adkisson is awarded judgment against defendant Robert Monster on Adkisson's claims for breach of contract, fraudulent misrepresentation, breach of

JUDGMENT BY CONFESSION  
(NO. 2:23-CV-495 LK) – 1

**Perkins Coie LLP**  
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1 fiduciary duty, violations of Washington's Consumer Protection Act (RCW 19.86.020, et. seq),  
 2 violations of the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §  
 3 1962(a), (c) and (d); unjust enrichment, and conversion **in the total amount of \$437,505.00**,  
 4  
 5 consisting of the principal amount of \$300,000.00, prejudgment interest in the amount of  
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 7 \$8,000.00 and attorneys' fees and costs in the amount of \$129,505.00.  
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 11 2. This Judgment shall accrue interest at the rate of twelve percent (12%) per annum  
 12 at all times until paid in full.  
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 15 3. Except to the extent included within the sum reflected in paragraph 1 above,  
 16 Adkisson may submit fee applications to this Court for an award of attorney fees and costs  
 17 incurred as part of entry of this Judgment and for its efforts to collect on this Judgment in the  
 18 future.  
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22 DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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 27 \_\_\_\_\_  
 28 United States District Judge

29 Presented by:

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 31  
 32 s/ David A. Perez  
 33 David A. Perez, WSBA No. 43959  
 34 Christian W. Perez, WSBA No. 51193  
 35 Perkins Coie LLP  
 36 1201 Third Avenue, Suite 4900  
 37 Seattle, WA 98101-3099  
 38 Telephone: 206.359.8000  
 39 Facsimile: 206.359.9000  
 40 E-mail: DPerez@perkinscoie.com  
 41 E-mail: CMarcelo@perkinscoie.com  
 42  
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 44

45 Attorneys for Plaintiff Matthew Adkisson  
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**CERTIFICATE OF SERVICE**

I certify under penalty of perjury that on June 4, 2024, I electronically filed the foregoing JUDGMENT BY CONFESSION with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorney(s) of record:

Andrew Ramiro Escobar  
 Meryl Hulteng  
 SEYFARTH SHAW LLP (SEA)  
 999 THIRD AVE STE 4700  
 SEATTLE, WA 98104  
 206-946-4910  
 aescobar@seyfarth.com  
 mhulteng@seyfarth.com

I further certify that I caused service to be made on the following non-CM/ECF participants by the method(s) indicated:

Robert Monster <i>Pro Se</i> <rob@monsterventurepartners.com>	<input type="checkbox"/> Via hand delivery <input checked="" type="checkbox"/> Via U.S. Mail, 1st Class, Postage Prepaid <input type="checkbox"/> Via Overnight Delivery <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via Email <input type="checkbox"/> Other: _____
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DATED this 4th day of June, 2024.

/s/ June Starr  
 June Starr

## **EXHIBIT A**

THE HONORABLE LAUREN KING

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MATTHEW ADKISSON, an individual,

Plaintiff,

v.

EPIK HOLDINGS, INC., a Washington  
Corporation; EPIK INC., a Washington  
Corporation; MASTERBUCKS LLC, a  
Wyoming company; ROBERT W.  
MONSTER, an individual; and BRIAN  
ROYCE, an individual,

Defendant.

No. 2:23-cv-00495-LK

CONFESSION OF JUDGMENT BY  
ROBERT W. MONSTER

**VERIFIED CONFESSION OF JUDGMENT**

Defendant Robert W. Monster confesses judgment in favor of Plaintiff Matthew Adkisson and authorizes the Court to enter judgment against Monster and in favor of Adkisson and grant monetary relief on the following terms

Judgment Creditor:	Matthew Adkisson
Judgment Debtor:	Robert W. Monster
Principal Judgment Amount:	\$100,000.00 less amounts paid by Monster pursuant to the parties' Settlement Agreement and Consent to Entry of Judgment ("Settlement Agreement")

CONFESSION OF JUDGMENT BY DEFENDANT  
MONSTER AND ORDER DIRECTING ENTRY OF  
JUDGMENT (NO. 2:23-CV-00495-LK) – 1

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Trebled Damages:	Trebled damages amounting to trebled Principal Judgment Amount
Interest:	Interest on Principal Judgment Amount at a rate of 8% per annum accruing from June 1, 2023
Attorneys' Fees:	Full attorneys' fees in connection with case No. 2:23-cv-00495-LK and enforcement of this Confession of Judgment.
Costs:	All costs in connection with case No. 2:23-cv-00495-LK and enforcement of this Confession of Judgment.
<b>TOTAL JUDGMENT AMOUNT:</b>	\$300,000 plus Interest, Attorneys' Fees and Costs
This Judgment shall bear interest from the date of entry at the rate of twelve percent (12%) per annum, or the highest rate allowed by law, until satisfied.	

This Confession of Judgment is for a sum that is justly due or that shall become due, as shown by the following facts:

1. In May 2022, plaintiff Matthew Adkisson wired \$327,000.00 to be held in escrow (the "Escrow Funds") by defendant Robert Monster, the founder and majority owner of Epik Holdings, Epik Inc., and Masterbucks LLC (collectively, "Epik"), for the purchase of a domain name. Adkisson requested the return of his Escrow Funds on December 2, 2022. The Escrow Funds were not used for the purchase of the domain name, and \$307,000 of the Escrow Funds were not returned to Adkisson.
2. Adkisson filed suit on March 31, 2023 in the United States District Court for Western District of Washington in Seattle, No. 2:23-cv-00495-LK regarding the misappropriation of the Escrow Funds asserting claims for breach of contract, fraudulent misrepresentation, breach of fiduciary duty, violations of Washington's Consumer Protection Act (RCW 19.86.020, *et. seq.*), violations of the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. § 1962(a), (c) and (d); unjust enrichment, and conversion. Adkisson sought trebled damages (per 18 U.S.C. § 1964), pre- and post-judgment interest, attorneys' fees, and costs.

CONFESSION OF JUDGMENT BY DEFENDANT  
MONSTER AND ORDER DIRECTING ENTRY OF  
JUDGMENT (NO. 2:23-CV-00495-LK) – 2

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- 1           3. On June 1, 2023, Adkisson and Monster entered into a Settlement Agreement and  
2           Consent to Entry of Judgment to resolve their dispute which required that Monster  
3           pay Adkisson the total amount of \$100,000.00 by May 31, 2024, with 8% interest  
4           accruing from June 1, 2023.  
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- 7           4. In the event of a default under the Settlement Agreement by Monster, and  
8           pursuant to the terms of the Settlement Agreement, Monster authorizes the Court  
9           to enter Judgment against him and in favor of Adkisson for the sum of  
10          \$100,000.00, trebled, subject to offset for any amounts paid by Monster to  
11          Adkisson under the Settlement Agreement, for accrued interest from June 1, 2023,  
12          and for attorneys' fees and costs. The judgment amount shall itself bear interest  
13          from the date of the entry at the rate of twelve percent (12%) per annum, or the  
14          highest rate allowed by law, until satisfied.  
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- 17          5. Monster admits and acknowledges that the debt to Adkisson arises out of his  
18          failure to make the payments to Adkisson as required by the Settlement  
19          Agreement, and that the debt is justly and presently due. In entering this  
20          Confession of Judgment, Monster stipulates that the foregoing may be treated as a  
21          finding of fact by the Court upon entering this Confession of Judgment.  
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- 24          6. Monster agrees that this Confession of Judgment is consent to final judgment, that  
25          jurisdiction is not contested, that venue is proper, and that there are no defenses to  
26          entry of this Judgment, and that there shall be no just reason for delay of entry.  
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- 29          7. Monster also agrees that entry of this Confession of Judgment does not require  
30          personal service and requires only five (5) days' written notice (which may be by  
31          e-mail) to Monster or his counsel. Monster further agrees that the Confession of  
32          Judgment may be entered without the necessity of hearing or prejudgment  
33          presentment, as authorized by RCW 4.60 *et seq.*  
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8. This Confession of Judgment arises out of a settlement and compromise of Plaintiff's claims in matter No. 2:23-cv-00495-LK. As a material inducement for plaintiff to settle and compromise those claims, Monster agreed to enter into this Confession of Judgment, which Plaintiff can file with the Court in the event Monster fails to perform under the terms of the Settlement Agreement.

I state under oath that the facts set forth above are true to the best of my knowledge and belief.

DATED this 1st day of June, 2023.

*Robert Willem Monster*

ROBERT MONSTER

Virginia  
STATE OF ~~WASHINGTON~~ )  
Prince William ) ss.  
COUNTY OF ~~KING~~ )

On this 1st day of June 2023, personally appeared before me Robert Monster personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed above. Robert Monster signed this document in my presence and acknowledged to me that he *is a defendant in the above-captioned action*, and signed this document voluntarily for its stated purpose.

SUBSCRIBED AND SWORN to before me this 1st day of June, 2023, by

Robert Willem Monster

CONFESSION OF JUDGMENT BY DEFENDANT  
MONSTER AND ORDER DIRECTING ENTRY OF  
JUDGMENT (NO. 2:23-CV-00495-LK) – 4

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*Emon Christian Moore*

(Signature of Notary)

Emon Christian Moore

Notarized online using audio-video communication

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State  
of ~~Washington~~ <sup>Virginia</sup>

My Commission Expires: <sup>ECM</sup> 09/30/2026

**ASSENT BY PLAINTIFF**

Plaintiff Matt Adkisson assents to the entry of the above Confession of Judgment  
authorized by defendant Robert Monster

DATED this 1st day of June, 20<sup>23</sup>.

*Matthew Adkisson*

MATT ADKISSON

Commonwealth of Virginia  
County of Prince William



The foregoing instrument was subscribed and sworn  
before me on 06/01/2023 by Matthew Adkisson.

My commission expires: 09/30/2026

Notarized online using audio-video communication

*Emon Christian Moore*

Notary Public

**ORDER**

The above Confession of Judgment having been presented to this Court for entry pursuant to motion and in accord with the procedures set forth in RCW 4.60.070, and the Court having found said Confession of Judgment to be sufficient and prepared in accord with the procedures required by Washington law, now, therefore, it is hereby

ORDERED that the Clerk of this Court shall forthwith enter Judgment against defendant \_\_\_\_\_ in accord with the terms of the Confession of Judgment, in the form attached hereto as Exhibit A.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
United States District Judge

Presented by:

s/ David A. Perez WSBA #43959  
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